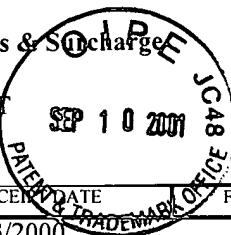


DOCKETED



Sept 5, 2000 Missing Parts & Surcharge

Feb 5, 2002 - ESP W/EXT



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/606,740	06/23/2000	Markus Pompejus	BGI-121CP

CONFIRMATION NO. 4954

FORMALITIES LETTER



OC00000006259476

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

Date Mailed: 07/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/13/2001 BABRAHA1 00000010 09606740

FILED UNDER 37 CFR 1.53(b)

01 FC:101	710.00 DP
02 FC:102	960.00 DP
03 FC:103	702.00 DP
04 FC:104	270.00 DP
05 FC:105	130.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- o Total additional claim fee(s) for this application is \$1628.
 - o \$432 for 24 total claims over 20.
 - o \$936 for 12 independent claims over 3.
 - o \$260 for multiple dependent claim surcharge.
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 2448.**

A copy of this notice MUST be returned with the reply.

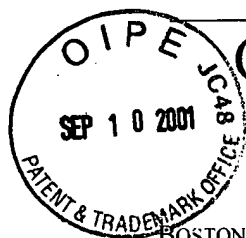
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

ENTERED

RECEIVED LAHIVE & COCKFIELD DOCKET DEPT.	
JUL 9 2001	
RETRIEVED	7/17/2001
FORWARDED	7/17/2001



LAHIVE
&
COCKFIELD
LLP

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

H-A
JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN
SEAN D. DETWEILER

CYNTHIA L. PANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICHANAND
MICHAEL PHILLIPPS *
LISA M. DIROCCO

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.

PATENT AGENTS
PETER S. STECHER
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
HATHAWAY P. RUSSELL

TECHNICAL SPECIALISTS
MARIA LACCOTRIPE ZACHARAKIS, Ph.D. **
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFELD
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. McPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
JACOB G. WEINTRAUB

* Admitted in NY only
** Passed the Patent Bar Examination

September 5, 2001

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/606,740
Filed: June 23, 2000
Entitled: *Corynebacterium Glutamicum Genes Encoding Metabolic
Pathway Proteins*
Inventors: Markus Pompejus, et al.
Our Reference No. BGI-121CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$2,772.00 (including \$710 filing fee, \$1,662 extra claim fee, \$270 multiple dependent claim fee, and \$130 surcharge); and
5. Return postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on:

September 5, 2001

Date

Debra J. Milasincic, Esq., Reg. No. 46,931

Respectfully submitted,

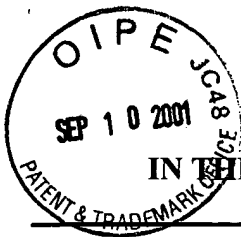
LAHIVE & COCKFIELD, LLP

Debra J. Milasincic, Esq.

Reg. No. 46,931 for

Elizabeth A. Hanley, Esq.

Reg. No. 33,505



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus, *et al.*

Serial No.: 09/606,740

Filed: June 23, 2000

For: "*Corynebacterium glutamicum Genes Encoding Metabolic Pathway Proteins*"

Attorney Docket No.: BGI-121CP

Group Art Unit: 1641

Examiner:

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

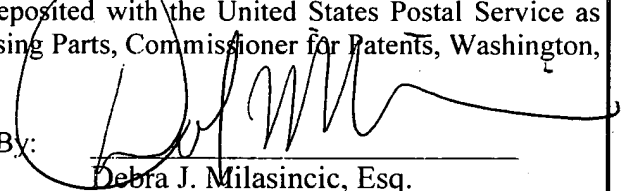
Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

September 5, 2001

Date of Signature and of Mail Deposit

By:


Debra J. Milasincic, Esq.

Reg. No. 46,931

Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Dear Sir:

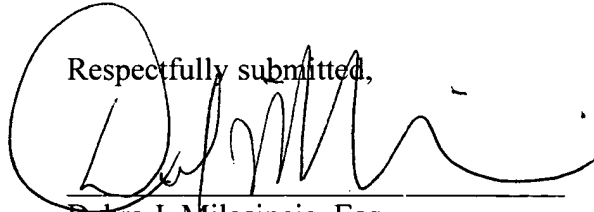
Responsive to the Notice to File Missing Parts of Nonprovisional Application dated July 5, 2001, Applicants submit herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,772.00 is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,662.00 additional claim fee, and \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate **39** total claims over 20, and **12** independent claims over 3 and \$270.00 multiple dependent claim charge.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Debra J. Milasincic, Esq.
Registration No. 46,931 **For**
Elizabeth A. Hanley, Esq.
Registration No. 33,505
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: September 5, 2001